

09/509215
422 Rec'd PCT/PTO 24 MAR 2000
#8 P.B. PATENT
ATTORNEY DOCKET NO. 047763-5014
2/22/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Dirk OSTERMANN et al.)
Application No.: Unassigned) Group Art Unit: Unassigned
Filed: March 24, 2000) Examiner: Unassigned
For: APPARATUS FOR REMOVING A SAMPLE)
FROM AN ARRAY OF SAMPLES AND A)
CUTTING TOOL FOR USE WITH THAT)
APPARATUS)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of the search report from the Australian Patent Office citing these documents and setting forth the relevance thereof is enclosed.

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should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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Dated: March 24, 2000
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